IN THE CLAIMS:

Please amend the claims as shown below:

Claim 1 (original): A data recording apparatus that sequentially inputs data configured in units that cannot be recorded across different files and records the data in a file having a predetermined volume, comprising:

size detecting means for deciding when data is sequentially recorded in file, whether next unit of the data to be recorded can be fully recorded in the same file, or not;

file creation controlling means for recording said next data to be recorded in another file or stopping recording if the case where the result of the decision by said size detecting means shows that recording is not possible; and

file writing means for writing date in a file according to the control from said file creation controlling means.

Claim 2 (canceled)

Claim 3 (previously presented): A data recording apparatus that records inputted data which should be processed sequentially in a file having a predetermined volume, comprising:

image mode information detecting means for detecting a change of an image mode information attached to said data; and

file recording controlling means for controlling the recording of said data to the file;

wherein when a change of a content of the image mode information is detected by said image mode information detecting means, said file recording controlling means changes the file to record the data to another file and sequentially records the data or stops recording.

Claim 4 (previously presented): A data recording apparatus that records inputted data which should be processed sequentially in a file having a predetermined volume, comprising:

voice mode information detecting means for detecting a change of a voice mode information attached to said data; and

file recording controlling means for controlling the recording of said data to the file;

wherein when a change of a content of the voice mode information is detected by said voice mode information detecting means, said file recording controlling means changes the file to record the data to another file and sequentially records the data or stops recording.

Claims 5 and 6 (canceled)

Claim 7 (currently amended): A data recording apparatus that records data in a file comprising:

detecting means for detecting a change of a property attached to said data;

3

file recording controlling means for converting the property of said data to the

previous property and recording data in said file when said detecting means detects a

change of the property; and

file writing means for writing data in a file according to the control from said file

~~creation~~ recording controlling means.

Claim 8 (original): The data recording apparatus according to claim 7, wherein said

property is image mode information and said file recording controlling means converts the

content of said data to the image mode information before the content is changed and

records data in said file when the content of said image mode information changes.

Claim 9 (original): The data recording apparatus according to claim 7, wherein said

property is voice mode information and said file recording controlling means converts the

content of said data to the voice mode information before the content is changed and

records data in said file when the content of said voice mode information changes.

Claim 10 (currently amended): A data recording apparatus that records data inputted in

file units in another file, comprising:

detecting means for detecting the type of a property attached to said data;

file recording controlling means for when said detecting means detects a plurality

of types of property in one file, converting and unifying properties of all data that belongs

to the file to a property of one of the plurality of types of property and recoding the data in

a new file; and

4

file writing means for writing data in a file according to the control from said file

~~creation~~ recording controlling means.

Claim 11 (original): The data apparatus according to claim 10, wherein said property is image mode information.

Claim 12 (original): The data recoding apparatus according to claim 10, wherein said property is voice mode information.

Claim 13 (original): A data recoding apparatus that sequentially inputs data configured in units that cannot be recorded across different recording areas and records the data as a file in a recording area having a predetermined volume, comprising:

size detecting means for deciding when data is sequentially recorded in the recording area whether next unit of the data to be recorded can be fully recorded in the same recording area, or not;

file creation controlling means for recording said next data to be recorded in another recording area or stopping recording if the result of the decision by said size detecting means shows that recording is not possible; and

file writing means for writing data in a file according to the control from said file creation controlling means.

Claim 14 (currently amended): A medium carrying a program and/or data to make a computer execute all or some functions of all or some means of the data recording

apparatus of the present invention according to any one of claims 1, 3, 4, and 7 to 13 and

that can be processed by a computer.

Claim 15 (currently amended): An information package that is a program and/or data to

make a computer execute all or some functions of all or some means of the data recording

apparatus of the present invention according to any one of claims 1, 3, 4, and 7 to 13.

Claim 16 (previously presented): A data recoding apparatus that records the inputted data

which should be processed sequentially in a file having a predetermined volume,

comprising:

    size detecting means for detecting a volume of the data stored in the file, and

    file recording control means for controlling the recording of the data to the file,

    wherein when the volume of the data stored in the file detected by said size

detecting means exceeds said predetermined volume, said file recording control means

changes the file to record the data to another file and sequentially records the data, or stops

recording.

Claim 17 (previously presented): The data recording apparatus according to claim 3,

wherein the image mode information contains at least one of an encode format, a signal

format, and a frame frequency.

Claim 18 (previously presented): The data recording apparatus according to claim 4,

wherein the voice mode information contains at least one of a sampling frequency, number

of sample bits per one sound element, and voice invalid information which represents a

state of silence.